

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SHAWN DANIEL HABENER,

Plaintiff,

v.

FBI,

Defendant.

CASE NO. C13-5705 BHS

ORDER DENYING PLAINTIFF'S  
MOTION TO PROCEED *IN*  
*FORMA PAUPERIS* AND  
DISMISSING COMPLAINT

This matter comes before the Court on Plaintiff Shawn Daniel Habener's ("Habener") motion to proceed *in forma pauperis* (Dkt. 1) and proposed complaint (Dkt. 1-1).

On August 19, 2013, Habener filed the instant motion and proposed complaint, which are almost identical to Habener's previous case. *Compare* Dkts. 1 & 1-1 with C13-5561BHS, Dkts. 1 & 1-1. In the previous case, the Court dismissed the proposed complaint because it was frivolous and had no arguable basis in law or fact. *Id.*, Dkt. 3. The instant complaint is even more frivolous. For example, Habener alleges that the FBI is stealing his thoughts and selling them to the DEA for substantial profit. Therefore, the

1 Court **DENIES** Habener's motion to proceed *in forma pauperis* and **DISMISSES** his  
2 complaint.

3 **IT IS SO ORDERED.**

4 Dated this 20th day of August, 2013.

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7 BENJAMIN H. SETTLE  
8 United States District Judge  
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